

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARCUS DEVAN HUNTER)
)
)
Petitioner,)
)
)
v.) 1:24-cv-1052
)
)
PETER R. BUCHHOLTZ)
)
)
Respondent.)

ORDER

On December 23, 2024, the United States Magistrate Judge's Recommendation and Order was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 4, 5.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 4), is hereby **ADOPTED**. **IT IS FURTHER ORDERED** that the Petition, (Doc. 2), is **DISMISSED** for failure to apply to the United States Court of Appeals for the Fourth Circuit for an order authorizing this district court to consider the current Petition as is required by 28 U.S.C. § 2244.

The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of

appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 10th day of February, 2025.

William L. Osten, Jr.
United States District Judge